

REMARKS

Applicant note with appreciation that claims 1-17 are allowed.

Claims 18-19 are rejected under 35 U.S.C 102(e) as being anticipated by Hamada (U.S. Publication No. 2003/0203545).

Claim 20 is rejected under 35 U.S.C 103(a) as being unpatentable over Hamada (U.S. Publication No. 2003/0203545).

Independent claim 18 has been amended hereby to more clearly recite the inventive features of the present invention.

Support for the amendment to claim 18 can be found in Figs. 2B-11B and in the embodiment. No new matter has been added.

The rejection under 35 U.S.C 102

Reconsideration of this application is respectfully requested in view of the following remarks. The Applicants respectfully traverse the rejection of claim 18 for at least the following reasons.

In the Office Action, Claim 18 is rejected under 35 U.S.C 102(e) as being anticipated by Hamada (U.S. Publication No. 2003/0203545). To the extent this ground of the rejection may be applied to amended claim 18 now pending in this application, it is respectively traversed.

As acknowledged by the Examiner, none of the prior art alone or in combination teaches or suggests the particular subject of the process steps in performing a third patterning process using a third photomask to remove the remaining second metal layer in the second doped area, thus forming a second gate on the dielectric layer in the second gate area; and performing a

p⁺-ion implantation to form a second source/drain region in the second semiconductor island in the second doped area, thus forming a PMOS element in the PMOS area. Accordingly, it is respectfully submitted that claim 18 and all claims dependent thereon are allowable over the cited art. Reconsideration and withdrawal of the pending grounds of the rejection is therefore respectfully requested.

With respect to the Examiner's assertions in the third paragraph on page 4 of the official action, the Examiner cites Col. 85 of the cited reference (U.S. 2003/0203545) to reject claim 19 under 35 U.S.C. 102. Applicant emphasizes the included angle of claim 19 and the cited reference is different. Please see Fig. 1B and paragraph [0062], lines 6-7, and Fig. 8B and paragraph [0085] of the cited reference, Hamada teaches the electrodes (116 to 118) are tapered at an angle of 45 to 75°. That means the included (or inside) angle of the electrodes of the cited reference is 45 to 75°, unlike claim 19 that recites "an included angle" (Θ) "at the bottom of the symmetrically coned shape" (290) "is **less** than 45°." As a result, the method according to claim 19 and the cited reference is different.

For all of these reasons, applicant submits that this application is now in condition for allowance. Prompt issuance of a Notice of Allowance is earnestly solicited.

The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 12-0415. In particular, if this response is not timely filed, then the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136 (a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 12-0415.

I hereby certify that this correspondence is being deposited with the United States Post Office with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents
PO Box 1450, Alexandria, VA 22313-1450 on

November 3, 2004

(Date of Deposit)

Corinda Humphrey

(Name of Person Signing)

Corinda Humphrey

(Signature)

November 3, 2004

(Date)

Respectfully submitted,

Richard P. Berg
Attorney for Applicants
Reg. No. 28,145
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036
(323) 934-2300